

PTH

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

15 M C 030

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UNITED STATES OF AMERICA

COMPLAINT

- against -

(21 U.S.C. §§ 952(a) and 960))

RUDY NEFTALI PINEDA CARIAS,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

DONALD FARRIER, being duly sworn, deposes and states that he is a Special Agent of the United States Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

Upon information and belief, on or about January 10, 2015, within the Eastern District of New York and elsewhere, the defendant RUDY NEFTALI PINEDA CARIAS did knowingly, intentionally and unlawfully import into the United States from a place outside thereof a substance containing heroin, a Schedule I controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and belief are as follows:<sup>1</sup>

1. On or about January 10, 2015, the defendant RUDY NEFTALI PINEDA CARIAS arrived at John F. Kennedy International Airport in Queens, New York, aboard Avianca Flight 566 from Guatemala City, Guatemala.

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<sup>1</sup> Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

2. The defendant RUDY NEFTALI PINEDA CARIAS was selected for a Customs and Border Protection ("CBP") enforcement examination. While answering standard CBP examination questions, the defendant RUDY NEFTALI PINEDA CARIAS claimed ownership of a black Fila suitcase and stated, in sum and substance and in part, that the suitcase and its contents belonged to him. An examination of the suitcase conducted by CBP officers revealed nine "Yus" food product pouches. A probe of these pouches revealed a brown powdery substance that field-tested positive for the presence of heroin. The total gross weight of the heroin recovered from the suitcase is approximately 3,084.4 grams.

3. The defendant RUDY NEFTALI PINEDA CARIAS was placed under arrest and advised of his Miranda rights. The defendant stated that he understood his rights, and he waived his rights and agreed to speak with law enforcement agents. The defendant thereafter stated, in sum and substance and in part, that he knew he was transporting illegal drugs and that he expected to be paid approximately \$5,000 in exchange for transporting those illegal drugs to another individual whom he planned to arrange to meet in the United States.

WHEREFORE, your deponent respectfully requests that the defendant RUDY NEFTALI PINEDA CARIAS be dealt with according to law.

Dated: Brooklyn, New York  
January 10, 2015

  
DONALD FARRER  
Special Agent  
Homeland Security Investigations

Sworn to before me on  
the 10th day of January, 2015 1, 1  
S/ Steven Gold

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THE HONORABLE STEVEN M. GOLD  
UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK